

NEAR LIMIT  
RESISTANCEPort Arthur Cannot Hold Out  
Much Longer.

## FORTS ARE UNTENABLE.

Forty Thousand Dead Since Siege Began  
— Japanese Preparing for Import-  
ant Engagement on  
Shakhe.

London, Nov. 17.—The Standard's Tokyo despatch says all indications point to the conclusion that Port Arthur is near the extreme limit of resistance. Most of the Russian shells do not explode and many of them are found to be old Chinese shells filled with sawdust and half with gunpowder. Preparations appear to be progressing for the final retirement by General Stoessel and the garrison to Liaotshian.

The Chefoo correspondent of the Central News learns privately from a Russian official source that the torpedo boat destroyer Rastoropy, which yesterday took refuge in Chefoo after running the Port Arthur blockade in a blinding snow storm, was later blown up by her crew, left Port Arthur with an order from General Stoessel. This order contained information for the Russian government as to the real condition of the fortress, and not with such glowing accounts as were given by the captain of the Rastoropy. It is reliably reported that provisions are scarce at Port Arthur and that important positions have been captured by the Japanese or made untenable. It is believed that unless relief reaches the besieged Russians within 20 days they will be forced to surrender.

## CROSSING THE SHAKHE.

Japanese Getting Into Position for Im-  
portant Engagement.

St. Petersburg, Nov. 17.—It is reported that the Japanese intend to begin a forward movement Nov. 19 in an attempt to break the centre of the Russian formation on the Shakhe river. One correspondent wires that the Japanese are collecting large forces on the Russian eastern front. Scouts from that vicinity bring disquieting reports that the Japs hold all passes.

London, Nov. 17.—The Shanghai correspondent of the Post wires that word has reached there that the Japanese have advanced across the frozen Shakhe river and an important engagement is believed to be imminent.

## 40,000 Russians Dead.

Is the Record Since Siege of Port Arthur  
Began.

Rome, Nov. 17.—The Chefoo correspondent of Italia Militaire wires that General Stoessel's report brought to Chefoo by the torpedo destroyer Rastoropy states that since the commencing of the siege 20,000 troops and 10,000 civilians have died. The garrison is using primitive home made powder and the troops are on half rations and civilians on quarter rations. General Stoessel contents himself with the explanation of the plight of the garrison, implying that he awaits the czar's orders as to surrender or continued resistance.

## THT STOESSEL REPORT.

Commander of the Rastoropy Says the  
General Is Wounded.

London, Nov. 16.—According to a dispatch received here from Chefoo, by a news agency, Commander Plen of the Russian torpedo boat destroyer Rastoropy, which reached that port this morning from Port Arthur, confirming the reports that Lieutenant General Stoessel (commander of the Russian military forces at the fortress) is wounded, but says General Peck is quite well.

The commander added that there were sufficient supplies of food, ammunition and coal at Port Arthur to last a year.

## Market Is Sensitive.

London, Nov. 17.—The report printed in the Morning Telegraph that a hitch had occurred in the British-Russian negotiations had a depressing effect on the securities market today. Foreign issues were flat.

## PAID THE PENALTY.

Negro Joseph Watson Hanged at Weath-  
ersfield, Conn.

Weathersfield, Conn., Nov. 17.—Joseph Watson, the 18-year-old colored boy who murdered Henry Osborn of Hartford, last April, paid the penalty for his crime this morning when he was put to death by hanging on the gallows in the state prison.

The crime for which Watson met death was committed on the morning of April 5, when he shot to death Henry Osborn, former police commissioner of Hartford, at the latter's home on Capital avenue.

## ROBBERS CAPTURED.

Men Who Killed Bank Cashier at Cody  
Have Been Taken.

Omaha, Neb., Nov. 16.—A special from Cheyenne says that the robbers who held up and killed Cashier Middaugh of the Cody National bank and made their escape with a considerable sum of money, have been captured in northern Wyoming. No details have been received as yet.

## HORSE WAS ELECTROCUTED.

Came in Contact With Live Wire at  
St. Albans Yesterday.

St. Albans, Nov. 17.—J. W. Longlay, Henry Bushey and Tyler Haxleton of St. Albans Bay narrowly escaped electrocution yesterday and Mr. Longlay's horse was instantly killed by coming in contact with a telephone wire which had broken and fallen across the trolley wire at a point just east of the corner of Lake and Elm streets.

The three men were driving to work when, at 6:45 o'clock Mr. Longlay saw a wire hanging down from the trolley wire. He was so close to the wire that he had no time to pull his horse to one side and the wire struck the animal across the forelegs and the breast, killing her instantly. The broken and burning wire had been seen by Joseph L. Perron, who had just gone into his store to telephone the electric road and electric light offices when Mr. Longlay drove up.

Men from the electric light service were soon on the spot and removed the dangerous wire by cutting it.

## BARRE AND QUINCY.

Moving to Organize a National Granite  
Manufacturers' Association.

Quincy, Mass., Nov. 17.—The Granite Manufacturers' Association carrying out the vote at the summer outing at Barre, both associations recently appointed committees in conformity with vote, to study points for the betterment of the trade.

The Barre committee visited Quincy on Friday last and there were joint meetings held and subjects discussed that will be of far reaching importance. It is understood that they consider that there must be a National Granite Manufacturers' Association to better control the business. Other meetings of the committee will soon follow.

The Barre committee are William L. Alexander, president of the Barre Association, John McDonald and William Marr; the Quincy committee that met them is John L. Miller, president of the Quincy Association, James H. Elcock and Henry McGrath.

## FIRE AT WEST BURKE.

Destroyed the Willoughby Lake House  
on Tuesday.

West Burke, Nov. 16.—Fire yesterday destroyed the Willoughby Lake House. The family had moved into its winter home across the street, but was having some carpenter work done. It is supposed that there might have been a defect in the chimney or a spark from an open fireplace that might have started the fire.

The house was a large three-story one at the south end of Willoughby Lake. It was built over fifty years ago by Bemis, Hall & Denison, and later owned and run by Alonzo Bemis for many years. It was a popular summer resort. About thirty years ago Francis Richardson bought it. He has been dead many years, but his wife has had charge ever since.

## THE MOCK COURT TRIAL.

The Full Cast of Characters and Other  
Interesting Particulars.

The Mock Court Trial—Breach of Promise Case—to be given Friday evening, under the auspices of the Venetia club, at the city opera house, promises to be an event of unusual interest. It will be, in the first place, an exact reproduction of a court scene in methods and procedure, and on this account will be extremely interesting to ladies and others who have never attended a real trial.

Best of all will be the refined fun of the whole affair. With Richard A. Hoar, Esq., presiding over the court, Mrs. Fayette T. Cutler appearing as the plaintiff, Dr. E. R. Whitaker as the defendant, Col. A. V. Newton prosecuting the case, and Gordon & Jackson defending the accused, to say nothing of the brilliant array of court officers, witnesses and jurors, it is pretty certain we shall have all the comedy and quality of a court scene and enough wholesome fun to last until spring time.

Indeed, it is predicted by those in position to know, that from the opening of the court, until the close of the case, the audience will be kept keyed up to the point of convulsions by the unique procedure.

Wit, pathos, eloquence, local hits and vagaries will be drawn upon without stint to keep up the current of merriment. As an entertainment of innocent fun, conducted with mock dignity, and without a shade of offense to refined tastes, the mock court trial will be, as above mentioned, an event of unusual interest.

The following is the make-up of the court:

Judge, Richard A. Hoar.

Side judges, George Milne, George Nicholas Tilden.

Official reporter, Margaret Hinchey.

Clerk, J. Ward Carver.

Plaintiff, Mrs. Fayette T. Cutler.

Defendant, Dr. E. R. Whitaker.

Plf's Atty., Col. A. V. Newton.

Def's Atty., Gordon & Jackson.

Ct. officer and erier, Chief of Police Brown.

Witnesses, Miss Helen Brown, Miss Gladys Barrow, Dr. J. W. Jackson, Mr. Emory L. Smith, Mr. Frank Bangs.

Jurors, N. D. Phelps, Eli Holden, James Mackay, Frank McWhorter, N. S. Love, P. D. Leavitt, William Mercer, Dr. C. W. Steele, Frank Wheaton, J. J. Goodwin, Walter Adams, William H. Duthie.

## Epworth League Social.

The Epworth league held a very enjoyable social in the M. E. church last evening which was well attended. A pleasing programme for entertainment was carried out as follows: Vocal solo, Miss Ramsey; reading, Miss Gladys Brown; mandolin solo with piano accompaniment, Dr. and Mrs. D. C. Watt.

A report of the Epworth league convention at West Burke was given by Miss Margaret Wilson. After the programme refreshments were served and games and a social time were enjoyed.

CARELESSNESS  
IS CHARGEDCommittee on Claims Reports  
Results

## OF ITS INVESTIGATIONS

Proper Economy Has Not Been Practiced  
by State Trustees — Have Paid  
Retail Prices on Purchases —  
Lack of Business Methods.

Montpelier, Nov. 17.—The committee on claims, which has been investigating the vouchers of state institutions, reported to the legislature this afternoon. It has examined 1,000 vouchers and finds the accounts to be "substantially correct."

1st—There are receipts for each article according to law.

2d—The accounts of state officers, commissioners, etc., for per diem and expenses during the first six months were not all subscribed to according to law, but they were subscribed to properly the last 18 months.

3d—The personal expense accounts have not always been accompanied by proper vouchers.

4th—Excessive expenditures have been made and proper economy has not been practiced.

Regarding state institutions the examinations of vouchers shows that the cash discount has not generally been taken, which amounts to a big sum. This is due to carelessness or to a lack of business methods. As a rule retail prices have been paid.

The committee finds this most noticeable in the accounts of the state board of health, the state laboratory of hygiene and the fish and game commission.

The committee finds that a number of the trustees and directors have not given sufficient attention to their duties.

In conclusion the committee recommends a reorganization of the auditors. They say Barber's system has been improved on some by Auditor Graham.

## STATE EXAMINERS.

Gov. Bell Makes Appointments To-  
day.

Montpelier, Nov. 17.—Gov. Bell today appointed the following county examiners of teachers:

Addison—Thomas E. Boyce, Middlebury.

Bennington—J. F. Allison of North Bennington.

Caledonia—W. H. Taylor of Hardwick.

Chittenden—J. E. Allen of Westford.

Essex—F. H. Dewart of St. Albans.

Grand Isle—Mary Montgomery, of Isle La Motte.

Lamoille—W. A. Beebe, Morrisville.

Orange—J. M. Comstock, Chelsea.

Rutland—H. J. Stannard, Barton.

Washington—O. D. Mathewson, Barre.

Windham—H. D. Ryder, Bellows Falls.

Windsor—N. J. Whitehill, Hartford.

## ETHAN ALLEN TOWER.

Proposed to Erect One Outside City  
of Burlington by S. of A. R.

The Vermont Society, Sons of the American Revolution, met yesterday afternoon at the State House, Dr. H. D. Holton of Brattleboro presiding. The report of the treasurer showed a balance of \$228.33. A letter was received from W. J. Van Patten of Burlington offering a small plot of land just outside Burlington, on which the society may erect a tower to the memory of Ethan Allen. A committee chosen to arrange for the tower are Warren Peck, Addison county, H. P. McCullough, Bennington, Geo. H. Cross, Caledonia, F. S. Poase, Chittenden, P. D. Hall, Essex, E. A. Chittenden, Franklin, N. W. Fiske, Grand Isle, D. H. Waite, Lamoille, J. K. Lynde, Orange, F. E. Alfred, Orleans, F. D. Proctor, Rutland, A. G. Eaton, Washington, J. W. Flint, Windham, W. W. Stickney, Windsor.

The officers elected were as follows: J. W. Holton of Brattleboro, president; C. S. Forbes of St. Albans, vice-president; W. H. Crockett of St. Albans, secretary; C. P. Smith of Burlington, treasurer; H. L. Stillson of Bennington, registrar; G. G. Benedict of Burlington, historian; Rev. L. M. Severance of Bennington, chaplain. The managers are: A. Hall of St. Albans, W. E. Hox of Bennington, F. E. Alfred of Newport, P. H. Vale of Island Pond, W. T. Dewey of Montpelier, J. E. Estay of Brattleboro, H. W. Allen of Burlington. Delegates to the national convention: W. W. Stickney, F. D. Hale, Z. S. Stanton, W. R. Howe and H. P. McCullough.

## DUE TO ACUTE ALCOHOLISM.

Autopsy Held on Body of Chas. Magoon  
To Find Cause of Death.

An autopsy was performed on the body of Charles Magoon yesterday afternoon by Health Officer Dr. J. W. Jackson, assisted by Drs. McSweeney, Lazell, Chandler, Ligouri, and Leonard.

Dr. Jackson reported that all appearances indicated that the man died from acute alcoholism.

OVER GOV.  
BELL'S VETOSenate Passes the Witness  
Fee Bill.

## NEW REVENUE MEASURE

Bill to Tax Collateral Inheritances In-  
troduced in House — Atter-  
ney General Bill  
Passes.

Montpelier, Nov. 17.—Nothing but the signature of Gov. Bell is now necessary to make a law of the bill creating the office of attorney general of Vermont as the House today passed the Senate bill. There was no debate on the bill and there were but a few votes in opposition. As the amended bill stands, it provides that the present legislature shall elect the first attorney general and that bi-annually hereafter the people shall elect.

The names most generally connected with the new office are Col. A. A. Hall of St. Albans and J. G. Sargent of Ludlow, while about the State House the name of Clarke C. Fitts, the representative from Brattleboro, the man who is largely responsible for the reconstitution of the bill, is oftentimes named. The salary of the office is \$2,500 annually, with the necessary clerk hire and expenses of the office thrown in.

For an hour the House listened to an Orleans county quarrel over the distribution of the county grammar school funds, the fight being between Mr. Grout of Derby, who wanted the towns of Barton and Newport excepted from the list of the beneficiaries by the distribution, and Mr. Blanchard of Newport and Mr. Miles of Barton. The latter won by the killing of the bill. A most effective argument was made by Mr. Miles. The House also killed the bill making 60 hours the legal week's work in state institutions.

Bills whose progress has been stopped by the House are: Establishing probate district in Bradford probate district in Orleans county (the bill being adversely reported by a special committee); requiring license fee from dealers in evergreen trees and license fees from non-resident gin saw root diggers; authorizing purchase of real estate adjoining jail premises in Washington county.

The bill to make a close season on deer for three years from Jan. 1, 1905, died hard but it was finally killed by a vote of 62 to 125. A letter was read from Game Commissioner Thomas including a letter from M. E. Wheeler of Rutland declaring that he should withdraw his offer of \$1,000 to indemnify parties for damage done by deer if the bill passes.

The House passed the bill requiring railroad companies to provide covered yards, etc., for use of stock in shipment. In the Senate this forenoon there was a fight on the bill relating to voters in town meetings. The bill provides that no one can vote unless he has paid his tax. There was considerable discussion on the bill, but it finally passed by a vote of 23 to 6, those voting "no" being Ashely, Buxton, Carpenter, Dickey, Parker and Rowland.

## Overriding Governor's Veto.

By a vote of 24 to 6 the Senate today passed Senate bill 105, by Dickey of Orange county, over Gov. Bell's veto of yesterday. The bill doubles the pay of court witnesses. Those voting with the governor were Buxton, Mattison, Parker, Simpson, Skinner and Wells.

## Gov. Bell's First Veto.

Gov. Bell yesterday afternoon vetoed the Senate bill 105 raising the fees of witnesses just double what they are now, \$2 in county court and \$1 in justice court, etc.

Gov. Bell's reasons for vetoing this bill are that the fees should never be so large as to render it profitable to become witnesses. Such fees would tend to increase litigation by raising up an army of professional witnesses.

Every citizen owes a duty to the public which calls upon him when controversies arise to appear and give evidence of what he knows in relation to the matter in controversy, to the end that justice be done. This duty should be performed without other reward than sufficient to cover necessary expenses.

## Will Increase State's Revenues.

Acting for the ways and means committee Mr. Proctor introduced a bill in the House today relating to taxation of collateral inheritance and taxable transfers. It is expected that by this, if it becomes a law, the revenue from this source will be increased to the extent of 40 or 50 per cent. The main provisions of the bill are:

Levies a 5 per cent. tax on inheritances; provides for deduction for foreign taxes; exempts bequests to maintain burial lots; administrators, executors or trustees to collect tax before paying over legacies, and to be held responsible for its payment; the tax to remain a charge upon real or personal estate until paid; prescribes proceedings in probate courts and provides for appeals and for proceedings in the higher courts; probate court may determine value of legacies and distributive shares, such value to be actual market value in money one year from date of decedent; provides for appointment and fees of appraisers, and for valuation by agreement between the state commissioner and the administrator, executor or trustee; valuation of life estate to be determined by American Experience Table of Mortality, with interest at rate of 3 1/2 per cent; provides for the paying and refunding of the taxes; same are payable within two

DISTRICT  
MEETINGOrder of Eastern Star Holds  
Annual Convocation.

## IS VERY WELL ATTENDED

Many Delegates Present — Addresses  
by Officers and Work by  
the Different  
Chapters.

The annual convocation of District No. 4, Order of the Eastern Star, was held in Masonic Hall yesterday afternoon and evening. The grand officers received the guests. The meeting was called to order at three o'clock and the opening ceremony was given by Green Mountain Chapter, No. 35, of Cabot.

The address of welcome was given by Sister Benedict of Ruth Chapter, the response by Sister Davis of Naomi Chapter of Northfield. Both were rendered in an excellent manner. A social time was then enjoyed until six o'clock when a superb banquet was served under the direction of Sisters Carpenter, Slayton, Campbell and Holmes. The tables to which about 200 sat down, were in charge of Sister Watkins, assisted by Sisters Corskie, Moorcroft, Campbell, Eastman, Reid, Paine, Smith, Johnson and Brady.

At seven o'clock the meeting was again called to order and work exemplified by Charity Chapter of Williams-town in a most commendable manner, followed by the addenda, the guiding star and floral offering, given by Ruth Chapter. This was done in a remarkably fine manner, and reflects great credit on the drill master, Brother C. M. Willey. At the close of the programme, the flowers used in the addenda were presented to the grand matron and grand lecturer, and a bouquet was also presented to Sister Roberts, worthy matron.

The grand officers in attendance were: J. H. Miers, grand patron; Mrs. A. M. Dunham, grand matron; Mrs. Elma Miller, grand lecturer; Mrs. Jessie Elgwood, associate grand conductress; Rev. I. P. Chase, grand chaplain; Mrs. Fannie Wheatley, grand Ruth; Mrs. Myrtle Davis, grand Esther.

The meeting was under the supervision of District Deputies E. T. Dunham, Deputy Grand Patron, and Mrs. Clara Short, deputy grand matron. Remarks by each of the grand officers and a reading by Dr. Lynde closed one of the most successful gatherings that the district has ever had.

FORESTERS OF AMERICA  
DEFEAT THE RED MENFormer Take Five Tables to Red Men's  
Three in Cribbage Contest Last  
Evening.

The Foresters of America defeated the Red Men in the cribbage contest last evening, at five tables to three. The result by tables was as follows: Burgh and Anderson, F. of A., defeated Sangster and Duncan, R. M.; Mackie and Alexander, F. of A., defeated Sangster and Connaack, R. M.; Smith and Gibb, F. of A., defeated Marshall and Wishart, R. M.; Flynn and Stephens, F. of A., defeated Scott and Ross, R. M.; Smith and Clark, F. of A., defeated Laxon and Robertson, R. M.; Bradbury and Duncan, R. M., defeated Venable and Patterson, F. of A.; Elrick and Milton, R. M., defeated Morrison and Stewart, F. of A.; Webster and Lynde, R. M., defeated Evans and Williams, F. of A. The Clan Gordon and Manchester Unity teams will play this evening at seven o'clock.

The cribbage league standing:

	P.	W.	L.	Pct.
C. O. F.	16	10	6	.625
F. of A.	16	10	6	.625
Clan Gordon	8	4	4	.500
Red Men	16	7	9	.437
M. U.	8	3	5	.375
I. O. O. F.	16	6	10	.375

## THOMPSON DISCHARGED.

Prosecution Fails to Make Out a Case  
And Judge Orders Acquittal.

The case of Charles W. Thompson, charged with the non-support of his family, was given a jury trial in city court yesterday afternoon and after the prosecution had put in their evidence Judge Fay ordered the jury to bring in a verdict of not guilty. The jurymen were Charles W. McMillan, L. E. Jones, H. A. Holt, Ernest Nichols, E. J. Owens and Webster Laird. Grand Juror J. Ward Carver and E. L. Scott prosecuted and J. B. Bailey and E. R. Davis defended.

Officer George Booth arrested D. C. Peters yesterday afternoon for intoxication. In city court last evening Peters pleaded guilty and paid a fine of \$5 and costs of \$7.79.

The second trial of Nicholas Sara for alleged breach of peace is being tried in city court this afternoon before the following jurymen: Alexander Anderson, John P. Corskie, Arthur C. Averill, Robert Kynock, W. C. Mackie and Carl C. Griswold. Grand Juror H. W. Scott is prosecuting and M. M. Gordon defending.

M. Austin, Jr., J. D. Taylor, Charles A. Harris, Clarke C. Fitts, E. E. Blanchard, S. B. Waite, J. W. Fowler, Collins M. Graves, George O. Stratton, and O. W. Daley. The company's office shall be at Brattleboro. The capital stock is \$50,000, with shares of \$50 each, one-half to be paid in. The bill was introduced by Mr. Stratton of Montpelier.